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Student Conduct Policies



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I. Introduction

This booklet sets forth the policies and codes of conduct which Stanford students are expected to observe. In addition, Section X describes the penalties that may be levied for infractions, and Section XII refers the reader to other campus resources for advice, additional information, and a description of the University's legislative and judicial processes through which the policies in this booklet are enacted and enforced.

New students are urged to read with care the rules and standards that they — by virtue of enrolling at Stanford — have agreed to uphold. In the University, as elsewhere, "ignorance of the law is no excuse." Unintended Honor Code or other policy infractions usually receive the same penalties as deliberate infractions. The disciplinary process and penalties that attend "innocent" misconduct are especially painful for all concerned because they could have been avoided had the student known the rules.

Many students also enter into contractual agreements with the University — the Residence Agreement is a common example; also all students are bound by state and federal regulations that define lawful and unlawful behavior. Depending upon the behavior and circumstances in question, a violation of the Residence Agreement, for example, may also be considered a violation of the Fundamental Standard and be responded to via the University judicial system. Similarly, behavior that is in violation of the law may also be in violation of a University policy and invoke University sanctions independent of any external civil or criminal proceedings. In summary, the existence of other regulations governing the conduct of Stanford students does not preclude the possibility that the policies presented in this handbook will also be invoked.

Proven or admitted academic misconduct by graduate students may, depending upon the circumstances, raise questions about the student's ethical suitability to enter the field for which he or she is being trained. The Dean of Student Affairs (or designee) and/or the presiding co-chair of the Stanford Judicial Council will normally consult with the student's department or program chair for assistance in developing an appropriate penalty recommendation.

Some of the student conduct policies discussed here are quite new; others are long-standing. The Fundamental Standard has been with us since 1896, the Honor Code since 1921; the Honor Code Interpretations and Applications were first articulated in 1977 and most recently amended in 1985. The Fundamental Standard Interpretation concerning free expression and discriminatory harassment was enacted in 1990. Although those policies and codes that are long-standing have, by and large, stood the test of time, they are not sacrosanct and are periodically

examined in the light of changing times. Newer statements have undergone long and sometimes difficult evolutions, but they too are kept under scrutiny and changed as experience demands.

Stanford's three constituencies — the student body, the faculty and the administration — all play important roles in developing the student legislative and judicial systems. Many of those roles involve membership positions on the three major councils:

The Student Conduct Legislative Council (SCLC) has authority to legislate in the area of student conduct and to specify an array of sanctions for violations of the established rules;

The Stanford Judicial Council (SJC) is a judicial body that hears cases of students accused of violating a University code of conduct. It makes determinations of guilt or innocence based upon the facts provided to it and then recommends appropriate penalties to the President;

The Committee of Fifteen (C-15), a tripartite body that is empowered to amend the Judicial Charter. It does not meet routinely but only when presented with a specific agenda and convened at the request of the SCLC, the SJC, or any one of the three University constituencies (students, faculty, or administration).

The composition and jurisdiction of these councils are formalized and carefully defined in the Legislative and Judicial Charter (see Section XII, page 32 of this booklet for more information).

The rules described in this booklet are vital to the maintenance of an atmosphere of mutual respect, trust, and integrity essential to University life. If those rules are violated, the University's response is prompt and appropriately forceful.

II. The Fundamental Standard

The Fundamental Standard has set the standard of conduct for students at Stanford since 1896. It states:

Students at Stanford are expected to show both within and without the University such respect for order, morality, personal honor and the rights of others as is demanded of good citizens. Failure to do this will be sufficient cause for removal from the University.

Over the years, the Fundamental Standard has been applied to a great variety of situations. Actions which have been found to be in violation of it include:

- Physical assault;
- Property damage; attempts to damage University property, such as rock-throwing;
- Theft, including theft of University property such as street signs, furniture, and library books;
- Forgery, such as signing an instructor's signature to a grade change card;
- Sexual harassment;
- Charging computer time or long distance telephone calls to unauthorized accounts;
- Presenting invalid or false meal cards or IDs to obtain meals to which the student is not entitled;
- Misrepresentations in seeking financial aid, student housing, discount computer purchases, or other University benefits;
- Misuse of University equipment or funds;
- Complete or partial destruction of library books;
- Driving drunk on campus in a way that presents a threat to the life or property of others; and
- Leaving threatening and obscene messages on the telephone answering system of another student.

There is no "ordinary" penalty which applies to violations of the Fundamental Standard. Infractions have led to penalties ranging from censure to expulsion. In each case, the gravity of the offense and a student's prior conduct are considered; however, the more serious the offense, the less it matters that a student has otherwise not done wrong.

III. Fundamental Standard Interpretation: Free Expression and Discriminatory Harassment

The Interpretation that follows became effective in June 1990 after 18 months of discussion and debate. It is a response to some incidents in recent years on campus that revealed doubt and disagreement about what the Fundamental Standard means for students in the sensitive area where the right of free expression can conflict with the right to be free of invidious discrimination. This interpretation of the Fundamental Standard is offered by the Student Conduct Legislative Council to provide students and administrators with guidance in this area.

1. Stanford is committed to the principles of free inquiry and free expression. Students have the right to hold and vigorously defend and promote their opinions, thus entering them into the life of the University, there to flourish or wither according to their merits. Respect for this right requires that students tolerate even expression of opinions which they find abhorrent. Intimidation of students by other students in their exercise of this right, by violence or threat of violence, is therefore considered to be a violation of the Fundamental Standard.
2. Stanford is also committed to principles of equal opportunity and non-discrimination. Each student has the right of equal access to a Stanford education, without discrimination on the basis of sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin. Harassment of students on the basis of any of these characteristics contributes to a hostile environment that makes access to education for those subjected to it less than equal. Such discriminatory harassment is therefore considered to be a violation of the Fundamental Standard.
3. This interpretation of the Fundamental Standard is intended to clarify the point at which protected free expression ends and prohibited discriminatory harassment begins. Prohibited harassment includes discriminatory intimidation by threats of violence, and also includes personal vilification of students on the basis of their sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin.
4. Speech or other expression constitutes harassment by personal vilification if it:
 - a) is intended to insult or stigmatize an individual or a small number of individ-

- uals on the basis of their sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin; and
- b) is addressed directly to the individual or individuals whom it insults or stigmatizes; and
- c) makes use of insulting or "fighting" words or non-verbal symbols.

In the context of discriminatory harassment by personal vilification, insulting or "fighting" words or non-verbal symbols are those "which by their very utterance inflict injury or tend to incite to an immediate breach of the peace," and which are commonly understood to convey direct and visceral hatred or contempt for human beings on the basis of their sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin.

IV. The Honor Code

In the spring of 1921, after a seven-year campaign by the student body, the first campus-wide honor system was formally adopted by the University. The Code underwent various changes through the years, most recently in the spring of 1977. Modifications to these and other codes of student conduct are drafted and enacted by the Student Conduct Legislative Council in accordance with the procedures set forth in the Legislative and Judicial Charter (see page 32).

The standard of academic conduct for Stanford students is as follows:

- A. The Honor Code is an undertaking of the students, individually and collectively:**
- (1) that they will not give or receive aid in examinations; that they will not give or receive unpermitted aid in class work, in the preparation of reports, or in any other work that is to be used by the instructor as the basis of grading;**
 - (2) that they will do their share and take an active part in seeing to it that others as well as themselves uphold the spirit and letter of the Honor Code.**
- B. The faculty on its part manifests its confidence in the honor of its students by refraining from proctoring examinations and from taking unusual and unreasonable precautions to prevent the forms of dishonesty mentioned above. The faculty will also avoid, as far as practicable, academic procedures that create temptations to violate the Honor Code.**
- C. While the faculty alone has the right and obligation to set academic requirements, the students and faculty will work together to establish optimal conditions for honorable academic work.**

Examples of conduct which have been regarded as being in violation of the Honor Code include:

- Copying from another's examination paper or allowing another to copy from one's own paper;
- Unpermitted collaboration;
- Plagiarism;
- Revising and resubmitting a quiz for regrading without the instructor's knowledge and consent;
- Giving or receiving unpermitted aid on a take-home examination;
- Representing as one's own work the work of another; and
- Giving or receiving aid on an academic assignment under circumstances in which a reasonable person should have known that such aid was not permitted.

In recent years, most student disciplinary cases have involved Honor Code violations; of those, the most frequent is plagiarism. The ordinary penalty for a first offense is a one-quarter suspension from the University and a grade of "No Credit" for the class in which the violation occurred. The ordinary penalty for a multiple violation (e.g., cheating more than once in the same course) is a three-quarter suspension and a grade of "No Credit."

Stanford Judicial Council, 1973: "... we do not agree that it is more blessed to give aid than to receive it. The Honor Code enjoins both giving or receiving aid and draws no distinction between them. . . ."

Stanford Judicial Council, 1978: "... The defense has asked us to consider the circumstances surrounding the violations, specifically the severe parental pressure that 'inhibited calm and detached reflection.' While the SJC has always looked at the context in which cheating occurred, it recommends leniency in only the most extreme circumstances. All students face pressure, from their parents, from the competition, and from their own career goals, but the Honor Code demands honesty despite the compelling stresses or the attractions of expediency.

"... we are told that the defendants' families would react so strongly that a suspension would fall disproportionately severe for these two students. . . . As we see it, their behavior on the two exams was deceptive and now they would enlist our aid in deceiving their parents. That we do not wish to do.

"... Absent extraordinary circumstance and convincing evidence, the University should refuse to meddle in the student-parent relations . . ."

Stanford Judicial Council, 1985: "... We start with the proposition that any conduct by a member of the University student community which poses a substantial risk of harm to persons or property on campus can be a violation of the Fundamental Standard. With respect to driving under the influence of intoxicating liquors or drugs, it is our belief that whether such conduct poses the proscribed risk depends on the circumstances attending the conduct charged. Circumstances that may give rise to a Fundamental Standard violation include the degree to which the driver's ability to drive in a sober and prudent manner has been appreciably impaired by the effects of alcohol or drugs as evidenced by (1) the manner in which the vehicle was driven, (2) the time and place in which the vehicle was driven, (3) the amount of alcohol or drugs ingested by the driver and the likelihood that they affected the driver's mental and physical faculties at the time of the violation, and (4) the damage or injury, if any, occasioned by the driver's conduct . . ."

V. Interpretations and Applications of the Honor Code

Also in the spring of 1977, the Student Conduct Legislative Council authored and adopted the following guidelines to assist students and faculty in understanding their rights and obligations under the University's Honor Code. The most recent revisions to the original text were adopted in the spring of 1985.

While an instructor's failure to observe these guidelines might be viewed as an extenuating circumstance in evaluating penalty options for a student's misconduct, it would not preclude the initiation of an otherwise warranted charge against the student.

1. General

- (a) The Honor Code is agreed to by every student who registers at Stanford University and by every instructor who accepts an appointment.
- (b) The Honor Code provides a standard of honesty and declares that compliance with that standard is to be expected. It does not contemplate that the standard will be self-enforcing but calls on students, faculty, and administration to encourage compliance and to take reasonable steps to discourage violations. If violations occur, procedures are prescribed by the Legislative and Judicial Charter. However, the Honor Code depends for its effectiveness primarily on the individual and collective desire of all members of the community to prevent and deter violations rather than on proceedings to impose penalties after violations have occurred.
- (c) It must be understood that the individual and collective responsibility of the students for upholding the Honor Code (including so-called third-party responsibility) was not imposed upon the students by the administration or the faculty but was assumed by the students at their own request. Without such student responsibility, the Honor Code cannot be effectively maintained.
- (d) In interpreting and applying the general provisions of the Honor Code, it should be kept in mind that although primary responsibility for making the Code effective rests with the students, faculty cooperation is essential, since the faculty sets the academic requirements which students are to meet. The faculty should endeavor to avoid academic requirements and procedures which place honorable and conscientious students at a disadvantage. The

faculty also should be ready and willing to consult with students and should be responsive to their suggestions in these matters.

2. Specific Interpretations and Applications

(a) *Third-party responsibility*

A primary responsibility assumed by students is to discourage violations of the Honor Code by others. Various methods are possible. Drawing attention to a suspected violation may stop it. Moral suasion may be effective. Initiating formal procedures is a necessary and obligatory remedy when other methods are inappropriate or have failed. Faculty members have like responsibilities when suspected violations come to their attention.

(b) *"Proctoring"*

Proctoring means being present in the examination room during a written examination, with the following exceptions: 1) The prohibition against proctoring should not be construed to prohibit an instructor or teaching assistant from remaining in the examination room for the first few minutes to distribute and explain the examination; or from visiting the examination room briefly to transmit additional information; or from returning at the end of the examination to collect the examination papers. 2) Nor does the prohibition against proctoring prohibit an instructor or teaching assistant from visiting the examination room in response to specific prior reports from students that cheating has been observed, in connection with that exam, to investigate the basis for such reports. The instructor or teaching assistant may also visit the examination room briefly and infrequently in order to answer students' questions.

(c) *"Unusual and unreasonable precautions"*

In interpreting and applying this provision, consideration should be given to standard procedures which are customary to Stanford and the need for cooperation between students and faculty in making the Honor Code effective. The following situations are cited as examples.

An instructor should not require students to identify themselves before being admitted to an examination room, or require students to submit in advance to being searched for notes or other materials, or maintain surveillance upon students who leave the examination room. Nor should the instructor take deliberate steps to invite dishonesty in order to entrap students. Procedures of this kind would be unusual and unreasonable.

On the other hand, an instructor may require copies of an examination or test to be returned after the examination. When possible, alternate seating should be provided and used for all examinations. To avoid controversy in any rereading or regrading of students' work, the instructor may take measures by which the original work may be clearly identified. An instructor who

requires students to make up a missed test or examination may administer a different test or examination of equivalent range and difficulty. Such procedures are not to be construed as unusual or unreasonable.

(d) *"Procedures that create temptations to violate the Honor Code"*

Although students are expected to resist temptations to cheat, the faculty should endeavor to minimize inducements to dishonesty. Examples of undesirable procedures include the following: failure to give clear directions and instructions concerning course requirements and the limits of acceptable collaboration in coursework; treating required work casually as if it were unimportant; carelessness or inconsistency in maintaining security of examinations or tests; reusing an examination which is neither kept secure from public exposure nor made available to all students. If take-home examinations are given, they should not be closed-book examinations, nor should there be a specific time limit less than the full period between the distribution of the examination and its due date. Such procedures place honorable and conscientious students in a difficult position and often at a disadvantage.

(e) *"Penalty grading"*

Under the Legislative and Judicial Charter, students are not to be penalized for violations of the Honor Code without notice, hearing and adjudication, as therein provided. An instructor may not, therefore, lower a student's grade or impose any other academic penalty on the grounds of dishonesty in the absence of such formal proceedings.

(f) *"Taking tests outside the examination room"*

Provided that alternate seats are available, tests will be taken from the classroom only with the consent of the instructor.

Stanford Judicial Council, 1973: ". . . We have been asked to decide this case primarily to set the standard which should normally apply to Honor Code violations.

"Briefly, we view Honor Code violations as extremely serious offenses for which the normal penalty should be separation from the University . . .

"Violations of the Honor Code are, among the range of offenses which come before us, most central to the educational function of the University. Violations are, of course, manifestations of dishonesty as in other instances of cheating or stealing. But Honor Code violations go beyond that. They threaten the very integrity of the University's grading system, the value of the degrees and other academic credentials given the vast majority of honest students, and the integrity of the University's basic academic processes. . . ."

Stanford Judicial Council, 1977: “. . . The Council was asked to face an issue never before addressed: the level of intent required to violate the Honor Code. . . .

“The defendants argue that only a willful violation of the Code can constitute an infraction. They contend that if they did not know at the time that their activities amounted to unpermitted aid, they cannot be guilty. We disagree. We conclude that a violation of the Honor Code does occur when persons give or receive aid on an examination under circumstances in which a reasonable person should have known that such aid was not permitted by the Honor Code.”

Stanford Judicial Council, 1979: “Cheating after agreeing to uphold a code of honor is particularly repugnant, for it threatens a basic tenet of this University.”

Stanford Judicial Council, 1979: “Defendants argue . . . that the professor’s actions were suspect in that he xeroxed only 6 of the 170 papers handed back. It is true that an arbitrary method of determining which papers to copy would be an ‘unreasonable’ procedure. But that is not the case here. The professor xeroxed only the papers of those students whom he had in good faith suspected of cheating previously. This is a reasonable basis for his selection which hence is not a violation of the Honor Code.”

VI. The Policy on Campus Disruption

The Policy on Campus Disruption was promulgated in 1967, and states that:

Because the rights of free speech and peaceable assembly are fundamental to the democratic process, Stanford firmly supports the rights of all members of the University community to express their views or to protest against actions and opinions with which they disagree.

All members of the University also share a concurrent obligation to maintain on the campus an atmosphere conducive to scholarly pursuits; to preserve the dignity and seriousness of University ceremonies and public exercises; and to respect the rights of all individuals.

The following regulations are intended to reconcile these objectives:

It is a violation of University policy for a member of the faculty, staff, or student body to

- (1) prevent or disrupt the effective carrying out of a University function or approved activity, such as lectures, meetings, interviews, ceremonies, the conduct of University business in a University office and public events.**
- (2) obstruct the legitimate movement of any person about the campus or in any University building or facility.**

Members of the faculty, staff, and student body have an obligation to leave a University building or facility when asked to do so in the furtherance of the above regulations by a member of the University community acting in an official role and identifying himself as such; members of the faculty, staff, and student body also have an obligation to identify themselves when requested to do so by such a member of the University community who has reasonable grounds to believe that the person(s) has violated section (1) or (2) of this policy and who has so informed the person(s).

The Policy has been applied to the following actions: refusal to leave a building which has been declared closed; obstructing the passage into or out of buildings by sitting in front of doorways; preventing University employees from entering their workplace; preventing members of a class from hearing a lecture or taking an examination, or preventing the instructor from giving a lecture, by means of shouts, interruptions, or chants; preventing others from hearing a scheduled speaker by means of shouts, interruptions, or chants; refusing to leave a closed meeting when

unauthorized to attend; and intruding upon or refusing to leave a private interview.

It should be understood that while the above are examples of extraordinarily disruptive behavior, the application of the Policy also takes situational factors into consideration. Thus, for example, conduct appropriate at a political rally might constitute a violation of the Policy on Campus Disruption if it occurred within a classroom.

There is no "ordinary" penalty which attaches to violations of the Policy on Campus Disruption. In the past, infractions have led to penalties ranging from censure to expulsion. In each case, the gravity of the offense and the prior conduct of the student are considered; however, the more serious the offense, the less it matters that a student has otherwise not done wrong.

Campus Judicial Panel, 1972: ". . . what is the proper penalty for . . . willful, premeditated and aggravated disruption of a class? We can without hesitation say that no penalty other than expulsion or indefinite suspension is sufficient.

". . . The disruption of a class attacks the most central function of the University. . . ."

Campus Judicial Panel, 1972: "The issue . . . is whether the defendants deserve prosecution . . . and the fact that others (or even they themselves) have earlier escaped without prosecution for similar offenses does not in general help them . . ."

VII. Official Policy on Combating Sexual Harassment

It is the policy of Stanford University to maintain the University community as a place of work and study for faculty, staff, and students, free of sexual harassment and all forms of sexual intimidation and exploitation. All faculty, staff, and students should be aware that the University is concerned and prepared to take action to prevent and correct such behavior, and that individuals who engage in such behavior are subject to discipline. Misconduct involving students is governed by the Fundamental Standard and complaints about student conduct should be referred to the Judicial Affairs Office (see page 32).

The determination of what constitutes sexual harassment will vary with the particular circumstances, but it may be described generally as repeated and unwanted sexual behavior, such as physical contact and verbal comments or suggestions, which adversely affects the working or learning environment. Coercive behavior, including suggestions that academic or employment reprisals or rewards will follow the refusal or granting of sexual favors, constitutes gross misconduct and will not be tolerated. In such cases, a single incident would establish grounds for action.

Anyone who is subject to offensive sexual behavior not involving students is encouraged to pursue the matter through the informal or formal procedures described in the *Information Bulletin*.

VIII. Prohibition of the Possession of Dangerous Weapons

- A. Except for authorized academic purposes, the knowing possession by any student on any Stanford campus of the following is prohibited: firearms, explosives, or any instrument or weapon of the kind commonly known as blackjack, slingshot, billyclub, sandclub, sandbag, or metal knuckles.
- B. Notwithstanding paragraph A above, a student who is a resident of a Stanford campus may store a weapon on such campus if both the following conditions are met:
 - 1. The student has complied with all state and federal regulations regarding the use and possession of said weapon, or in the case of a foreign campus, with the laws of the country in which the campus is located;
 - 2. The student stores such weapons with the Stanford Department of Public Safety (SDPS) or, in the case of a foreign campus, in a facility provided by the Director of such campus.
- C. Students may remove their weapon(s) from storage only in accordance with regulations established by the SDPS or by the Director of the foreign campus at which the weapon is stored. A student who is a resident of a Stanford campus may bring any of the above weapons on campus for purposes of storage only if the student previously notified the SDPS of the intention to do so—but in no event more than 6 hours after arrival on campus. When the student removes the weapon from storage, it must be taken off campus as soon as practicable—but in no event more than 1 hour after such removal.
- D. The term “Stanford campus” shall include all the lands and facilities of Leland Stanford Junior University, whether owned or leased, and whether located in the United States or abroad.

IX. Comments on the Fundamental Standard Interpretation: Free Expression and Discriminatory Harassment

The following text was written by Professor Thomas Grey of the Stanford Law School. It serves to answer many questions about the purpose and scope of the new interpretation and is provided to the community by the 1990 Student Conduct Legislative Council.

The Fundamental Standard interpretation (see page 5) first restates, in Sections 1 and 2, existing University policy on free expression and equal opportunity respectively. Stanford has affirmed the principle of free expression in its Policy on Campus Disruption, committing itself to support “the rights of all members of the University community to express their views or to protest against actions and opinions with which they disagree.” The University has likewise affirmed the principle of non-discrimination, pledging itself in the Statement of Nondiscriminatory Policy not to “discriminate against students on the basis of sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin in the administration of its educational policies.” In Section 3, the interpretation recognizes that the free expression and equal opportunity principles conflict in the area of discriminatory harassment, and draws the line for disciplinary purposes at “personal vilification” that discriminates on one of the bases prohibited by the University’s non-discrimination policy.

1. *Why prohibit “discriminatory harassment,” rather than just plain harassment?*

Some harassing conduct would no doubt violate the Fundamental Standard whether or not it was based on one of the recognized categories of invidious discrimination—for example, if a student, motivated by jealousy or personal dislike, harassed another with repeated middle-of-the-night phone calls. Pure face-to-face verbal abuse, if repeated, might also in some circumstances fit within the same category, even if not discriminatory. The question has thus been raised why we should then define *discriminatory* harassment as a separate violation of the Fundamental Standard.

The answer is suggested by reflection on the reason why the particular kinds of discrimination mentioned in the University's Statement on Nondiscriminatory Policy are singled out for special prohibition. Obviously it is University policy not to discriminate against any student in the administration of its educational policies on any arbitrary or unjust basis. Why then enumerate "sex, race, color, handicap, religion, sexual orientation, and national and ethnic origin" as specially prohibited bases for discrimination? The reason is that, in this society at this time, these characteristics tend to make individuals the target of socially pervasive invidious discrimination. These characteristics thus tend to serve as the basis for *cumulative* discrimination: repetitive stigma, insult, and indignity on the basis of a fundamental personal trait. In addition, for most of the groups suffering such discrimination, a long history closely associates extreme verbal abuse with intimidation by physical violence, so that vilification is experienced as assaultive in the strict sense. It is the cumulative and socially pervasive discrimination, often linked to violence, that distinguishes the intolerable injury of wounded identity caused by discriminatory harassment from the tolerable, and relatively randomly distributed, hurt or bruised feelings that result from single incidents of ordinary personally motivated name-calling, a form of hurt that we do not believe the Fundamental Standard protects against.

2. *Does not "harassment" by definition require repeated acts by the individual charged?*

No. Just as a single sexually coercive proposal can constitute prohibited sexual harassment, so can a single instance of vilification constitute prohibited discriminatory harassment. The reason for this is, again, the socially pervasive character of the prohibited forms of discrimination. Students with the characteristics in question have the right to pursue their Stanford education in an environment that is not more hostile to them than to others. But the injury of discriminatory denial of educational access through maintenance of a hostile environment can arise from single acts of discrimination on the part of many different individuals. To deal with a form of abuse that is repetitive to its victims, and hence constitutes the continuing injury of harassment to them, it is necessary to prohibit the individual actions that, when added up, amount to institutional discrimination.

3. *Why is intent to insult or stigmatize required?*

Student members of groups subject to pervasive discrimination may be injured by unintended insulting or stigmatizing remarks as well as by those made with the requisite intent. In addition, the intent requirement makes enforcement of the prohibition of discriminatory harassment more difficult, particularly since proof beyond a reasonable doubt is required to establish charges of Fundamental Standard violations.

Nevertheless, we believe that the disciplinary process should only be invoked against intentionally insulting or stigmatizing utterances. The kind of expression defined in Section 4(c) does not constitute “insulting or ‘fighting’ words” unless used with intent to insult. For example, a student who heard members of minority groups using the standard insulting terms for their own group in a joking way among themselves might — trying to be funny — insensitively use those terms in the same way. Such a person should be told that this is not funny, but should not be subject to disciplinary proceedings. It should also not be a disciplinary offense for a speaker to quote or mention in discussion the gutter epithets of discrimination; it is using these epithets so as to endorse their insulting connotations that causes serious injury.

4. *Why is only vilification of “a small number of individuals” prohibited, and how many are too many?*

The principle of free expression creates a strong presumption against prohibition of speech based upon its content. Narrow exceptions to this presumption are traditionally recognized, among other categories, for speech that is defamatory, assaultive, and (a closely related category) for speech that constitutes “insulting or ‘fighting’ words.” The interpretation adopts the concept of “personal vilification” to help spell out what constitutes the prohibited use of fighting words in the discrimination context. Personal vilification is a narrow category of intentionally insulting or stigmatizing discriminatory statements *about* individuals (4a), directed to those individuals (4b), and expressed in viscerally offensive form (4c).

The requirement of individual address in Section 4(b) excludes “group defamation”—offensive statements concerning social groups directed to the campus or the public at large. The purpose of this limitation is to give extra breathing space for vigorous public debate on campus, protecting even extreme and hurtful utterances in the *public* context against the potential chilling effect of the threat of disciplinary proceedings.

The expression “small number” of individuals in 4(a) is meant to make clear that prohibited personal vilification does not include “group defamation” as that term has been understood in constitutional law and in campus debate. The clearest case for application of the prohibition of personal vilification is the face-to-face vilification of one individual by another. But more than one person can be insulted face to face, and vilification by telephone is not (for our purposes) essentially different from vilification that is literally face to face.

For reasons such as these, the exact contours of the concept of insult to “a small number of individuals” cannot be defined with mechanical precision. One limiting restriction is that the requirements of 4(a) and 4(b) go together, so that a “small number” of persons must be no more than can be and are “addressed directly” by the person conveying the vilifying message.

To take an important example, we believe that a racist or homophobic poster placed in the common area of a student residence might be found to constitute personal vilification of the African-American or gay students in that residence. Any such finding would, however, be context-specific, turning on the numbers involved, as well as on the evidence of the perpetrator's own knowledge and intentions.

5. *What is the legal basis for the concept of "insulting or 'fighting' words," and what is the concept's relation to the actual threat of violence on the one hand, and to the actual infliction of emotional distress on the other?*

In its unanimous decision in *Chaplinsky v. New Hampshire* (1942), the Supreme Court spoke of "certain well-defined and narrowly limited classes of speech" which are outside the protection of the First Amendment because their utterance is "no essential part of any exposition of ideas" and of such "slight social value as a step to truth" that they can be prohibited on the basis of "the social interest in order and morality." Along with libel and obscenity, this category was said to include "insulting or 'fighting' words — those which by their very utterance inflict injury or tend to incite an immediate breach of the peace."

In subsequent opinions, the Court has consistently reaffirmed the basic *Chaplinsky* doctrine. At the same time, the Court has clarified the concept of "insulting or 'fighting' words" in two important ways. First, where the state attempts to punish speech for provoking violence, the threat of violence must be serious and imminent (*Gooding v. Wilson*, 1972). Second, the "insulting or fighting words" exception does not allow prohibition of utterances offensive to the public at large, but must be confined to insults or affronts addressed directly to individuals, or thrust upon a captive audience (*Cohen v. California*, 1971).

The Supreme Court's phrase "insulting or 'fighting' words" is often shortened to simply "fighting words," an expression which, while roughly capturing the sort of personally abusive language we mean to prohibit, may also have certain misleading connotations. First, the expression may imply that violence is considered an acceptable response to discriminatory vilification; but we prohibit these utterances so that disciplinary proceedings may substitute for, not supplement, violent response. Second, exclusive focus on the actual likelihood of violence might suggest that opponents of controversial speech can transform it into forbidden "fighting words" by plausibly threatening violent response to it — the so-called "heckler's veto." The speech, if it is to be subject to restraint, must also be grossly insulting by the more objective standard of commonly shared social standards. Finally, the "fighting words" terminology might be thought to imply that extreme forms of personal abuse become protected speech simply because the victims are, for example, such disciplined practitioners of non-violence, or so physically helpless, or so cowed and demoralized, that they

do not, in context, pose an actual and imminent threat of violent retaliation. Such a limitation might be appropriate under a breach of the peace statute, whose sole purpose is to prevent violence, but does not make sense in an anti-discrimination provision such as this one.

Another and largely overlapping category of verbal abuse to which legal sanctions may be applied is defined by the tort law concept of “intentional infliction of emotional distress.” Much of the conduct that we define as discriminatory harassment might well give rise to a civil suit for damages under the “emotional distress” rubric. But that rubric has drawbacks as the legal basis for a discriminatory harassment regulation. It is less well established in free speech law than is the fighting words concept. Further, taken as it is from tort law, it focuses primarily on the victim’s reaction to abuse; the question is whether he or she suffers “severe emotional distress.” We think it better in defining a disciplinary offense to focus on the prohibited conduct; we prefer not to require the victims of personal vilification to display their psychic scars in order to establish that an offense has been committed.

6. *What is included and excluded by the provision requiring “symbols ... commonly understood to convey direct and visceral hatred or contempt?”*

These terms in Section 4(c) provide the most significant narrowing element in the definition of the offense of discriminatory personal vilification. They limit the offense to cases involving use of the gutter epithets and symbols of bigotry: those words, pictures, etc., that are commonly understood as assaultive insults whenever they are seriously directed against members of groups subject to pervasive discrimination. The requirement that symbols must be “commonly understood” to insult or stigmatize, and so injure “by their very utterance,” narrows the discretion of enforcement authorities; it means that particular words or symbols thought to be insulting or offensive by a social group or by some of its members must also be so understood across society as a whole before they meet the proposed definition.

The kinds of expression covered are words (listed, not exhaustively, and with apologies for the affront involved even in listing them) such as “nigger,” “kike,” “faggot,” and “cunt;” symbols such as KKK regalia directed at African-American students, or Nazi swastikas directed at Jewish students. By contrast, a symbol like the Confederate flag, though experienced by many African-Americans as a racist endorsement of slavery and segregation, is still widely enough accepted as an appropriate symbol of regional identity and pride that it would not in our view fall within the “commonly understood” restriction. The direction of profanities or obscenities as such at members of groups subject to discrimination is also not covered by the interpretation, nor is expression of dislike, hatred, or contempt for these groups, in the absence of the gutter epithets or their pictorial equivalents.

Making the prohibition so narrow leaves some very hurtful forms of discriminatory verbal abuse unprohibited. Substantively, this restriction is meant to ensure that no *idea* as such is proscribed. There is no view, however racist, sexist, homophobic, or blasphemous it may be in content, which cannot be expressed, so long as those who hold such views do not use the gutter epithets or their equivalent. Procedurally, the point of the restriction is to give clear notice of what the offense is, and to avoid politically charged contests over the meaning of debatable words and symbols in the context of disciplinary proceedings.

7. *Does not the narrow definition of vilification imply approval of all “protected expression” that falls outside the definition?*

Free expression could not survive if institutions were held implicitly to endorse every kind of speech that they did not prohibit. The Stanford community can and should vigorously denounce many forms of expression that are protected against disciplinary sanction. For example, while interference with free expression by force or intimidation violates the Fundamental Standard, less overt forms of silencing diverse expression, such as too hasty charges of racism, sexism, and the like, do not. Yet the latter form of silencing is hurtful to individuals and bad for education; as such, it is to be discouraged, though by means other than the disciplinary process.

Similarly, while personal vilification violates the Fundamental Standard, even extreme expression of hatred and contempt for protected groups does not, so long as it does not contain prohibited insulting or fighting words, or is not addressed to individual members of the groups insulted. Yet such extreme expressions of hatred and contempt cause real harm. Members of the University community have every right to denounce them. At the same time, however, respect for the right of free expression – so critical to a university community – requires that students tolerate opinions which they find abhorrent. As stated in Section I, intimidation aimed at suppressing the exercise of this right through violence, or the threat of violence, constitutes a violation of the Fundamental Standard.

In general, the disciplinary requirements that form the content of the Fundamental Standard are not meant to be a comprehensive account of good citizenship within the Stanford community. They are meant only to set a floor of minimum requirements of respect for the rights of others, requirements that can be reasonably and fairly enforced through a disciplinary process. The Stanford community should expect much more of itself by way of tolerance, diversity, free inquiry and the pursuit of equal educational opportunity than can possibly be guaranteed by any set of disciplinary rules.

X. The Student Conduct Penalty Code

The Student Conduct Penalty Code is subject to the provisions of the Legislative and Judicial Charter and is to be read with the following points in mind:

1. The Penalty Code operates only to govern the actions of the University's judicial bodies regarding student conduct. It in no way governs the practices of persons in the discharge of their duties regarding the hiring or appointment of University personnel.
2. If any person charged with the duties of hiring, appointing, or discharging personnel, or of otherwise controlling employment for the University, promulgates any policy which relates to the fact of conviction for any offense which results in penalties under the Code, such policy should be made explicit and should immediately be dispatched to the SCLC, the chairs of all relevant judicial bodies, and the Dean of Student Affairs. In the event that the SJC or other relevant judicial body has not been notified of such a policy, and the implementation of the policy results in a possible injustice to the student, the judicial body which heard the case is encouraged to reopen the case and to reconsider the penalty.
3. Section II, C, 2, a, of the Penalty Code is intended to permit a judicial body (a) to suspend a student for the remainder of the quarter in progress; or (b) to suspend a student for the remainder of a quarter in progress plus one or more subsequent quarters; or (c) to permit a student to remain in school for the remainder of a quarter in progress and suspend that student for one or more future quarters.

I. TYPES OF PENALTIES

Upon determination that a student has committed an offense, the judicial body having jurisdiction shall impose a penalty in accordance with the nature and seriousness of the offense and the underlying motivation of the student. The following penalties, and only the following penalties, may be imposed:

- A. Expulsion from the University
- B. Indefinite suspension from the University
- C. Suspension from the University until a specified date
- D. Payment of a monetary fine

- E. Payment of a fine by work for an on-campus facility or organization
- F. Loss for a specified period of the right or privilege:
 - 1. To take part in intercollegiate activities, such as athletic contests, debating contests, or any similar activities as a representative of the University;
 - 2. To serve in a non-committee position of trust and responsibility, such as resident assistant, sponsor, or any other position requiring appointment by the University administration or faculty;
 - 3. To enjoy any other specific right or privilege on campus or to use University facilities.
- G. Probation for a specified period of time
- H. Formal censure
- I. Academic penalties for Honor Code violations
- J. Combination of penalties

II. DEFINITION OF PENALTIES

A. Expulsion from the University

Expulsion from the University is the permanent termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto.

B. Indefinite suspension from the University

- 1. Indefinite suspension is identical to expulsion while it is in effect.
- 2. An indefinite suspension may be terminated provided the suspended student can demonstrate that this serves the interests of the University community.
- 3. The judicial body, (e.g., the SJC, its appellate body, a subordinate council, or the Dean of Student Affairs) which originally imposed penalty is the only body which may terminate the suspension; provided, however, that if the agency which imposed the penalty no longer exists, then jurisdiction shall reside in the SJC; and provided further that if the penalty is imposed by an overseas council, the SJC, and only the SJC, may terminate the suspension.
- 4. If the appropriate judicial body wishes to consider the possible termination of a suspension, the judicial aide shall investigate and report the facts.
- 5. In no event shall an indefinite suspension be terminated within 2 calendar years from the date the suspension began.

C. Suspension from the University until a specified date

1. a. Suspension is the termination of student status until a specified date. During such period, the student under suspension loses all rights and privileges appurtenant to student status. These include, but are not exclusively limited to, the right to attend classes; utilize library facilities; utilize any other facilities of the University except those open to the general public; obtain credit for any academic work; engage in any activities, including holding any positions whatsoever on any University committees or in student organization, whether appointive or elective; live in student housing; or in any way represent him/herself as or being entitled to the privileges of a student of Stanford University. While suspended, no student shall hold or continue to hold any positions such as, but not limited to, sponsor, tutor, research assistant, teaching assistant, or residential assistant, if the student was informed prior to accepting that position – either directly or by public notice – that holding such position is contingent upon student status.
- b. In the sole discretion of the Dean of Student Affairs, where otherwise undue hardship would result, a student, although under suspension, may nevertheless be permitted to enjoy certain student benefits, such as being permitted to remain in University housing when the suspension is only for a short period of time.
2. a. No suspensions shall be for less than one academic quarter, except that a student may be suspended solely for the remainder of a quarter in progress.
- b. With regard to any student regularly enrolled in the University under a program run totally or primarily on a semester basis, the word “quarter” shall be read as “semester” insofar as suspension is concerned.
- c. No student who has been suspended in a future quarter shall be eligible to receive a University degree until the period of suspension has terminated.
3. A student under suspension or who has been ordered suspended in a future quarter continues to be subject to University rules governing student conduct and shall be treated as a student for all disciplinary purposes.

D. Payment of a monetary fine.

1. Prior to the payment of any fine imposed, no student shall obtain a degree from Stanford University.
2. a. Whenever ordered to pay a fine, the student shall be informed in writing of the time(s) by which specific amounts must be paid.
- b. Every order to pay a fine shall be conditioned as follows: the Dean of Student Affairs shall, upon application by the student, postpone pay-

ment of any fine when in the Dean's judgement it appears necessary to avoid undue financial hardship. In no event, however, shall a University degree be awarded until that student has paid the full amount due.

- c. A student who has failed to pay as ordered shall be treated as though suspended and shall be subject to all the disabilities of section C until such time as full payment is made.
- 3. a. Except as provided in paragraph b above, fines shall be paid to the Dean of Student Affairs for use in assisting students who are in need of financial help.
- b. A fine can be ordered paid to the Dean of Student Affairs for use in defraying the actual financial losses of any individual or organization, which losses were directly caused by the offense for which the fine was imposed.

E. Payment of a fine by work for an on-campus facility or organization

- 1. a. Prior to the imposition of such a penalty, the judicial body shall inquire of the student whether or not he or she has any objection in principle to penalties requiring involuntary imposition of work. If so, an alternative penalty shall be imposed.
- b. Prior to successful completion of any work fine imposed, no student shall obtain a degree from Stanford University.
- 2. a. Any work fine shall specify the number of hours to be worked and set a deadline before which time the work is to be satisfactorily completed.
- b. Every work fine deadline shall be conditioned as follows: The Dean of Student Affairs shall, upon application by the student, postpone the time that the work must be completed when, in the Dean's judgment, it appears necessary to avoid undue hardship. In no event, however, shall a University degree be awarded until that student has successfully completed the work.
- c. A student who has failed to meet a work fine deadline shall thereupon be treated as though suspended and shall be subject to all the disabilities of section C above until such time as the work is satisfactorily completed.
- 3. a. No work fine shall be imposed without prior agreement of the person responsible for the on-campus facility or organization where the work is to be done.
- b. A written statement from the person responsible for the on-campus facility or organization that the student satisfactorily completed the work fine will be conclusive.
- c. In the absence of the written statement in paragraph (b) above, the Dean of Student Affairs shall determine if and when the work has been satisfactorily completed. If the Dean finds that such completion has not occurred and the student disagrees, the SJC shall determine the issue.

F. Loss for a specified period of student rights and privileges

1. Whenever a student is deprived of a right or privilege, both the specific right or privilege lost and the period of such loss must be stated in writing.
2. Under Article I, section F, 2, no student who has contracted with the University to provide personal services and who has entered into performance of the services shall have the contract terminated unless prior to or at the time of formal notification of appointment, the student was also notified, directly or by general publication of which he or she had reason to be aware, that the pertinent judicial body could impose termination of employment as a penalty.
3. Under Article I, section F, 3, a student may be deprived of such rights and privileges as living in University housing, using University machinery, driving a motor vehicle on campus, and other rights and privileges of this type.
4. The right or privilege of serving on any committee shall not be subject to restriction under Article I, section F.

G. Probation for a specified period of time

1. Imposition of a penalty or any part of a penalty may be postponed for a specified period of time, during which the student shall be placed on probation.
2. A violation of the probation shall consist of conviction for an offense which was committed during the period of probation, unless the judicial body hearing the offense specifically deems it to be either trivial or non-related to the type of offense for which probation was granted.
3. The postponed penalty shall be imposed following a determination that a violation of probation has occurred.
4. Should no violation of probation be determined to have occurred during the period of probation, the probation shall be terminated and the postponed penalty automatically shall be cancelled.
5. The judicial body may impose an independent penalty for the subsequent offense itself. In determining the penalty for the subsequent offense, the judicial body shall consider the reinstated penalty for the first offense and its severity, and may allow the initial penalty, as reinstated, to suffice for both offenses, or it may impose additional penalties.

H. Formal censure

Formal censure shall consist of a letter of reprimand from the judicial body to the student, and it shall explain the reasons for the censure. The judicial body may request that the President of the University sign the letter of censure.

I. Academic penalties for Honor Code violations

1. An academic penalty may consist of the whole or partial withdrawal of credit for a course or an examination, or the determination of a grade for a course or an examination, including the awarding of a failing grade, or it may consist of a combination of these penalties. These penalties may be imposed only with respect to the course in which the violation occurred.
2. An academic penalty may be applied only in the case of an Honor Code violation and only with the consent of the instructor.

J. Combination of penalties

The judicial body may impose a sentence combining various penalties, when it deems such action appropriate. For example, a penalty could consist of suspension for a quarter, plus probation (with postponement of a penalty of indefinite suspension) for a two-year period thereafter, during which time the student would not be permitted to live in University housing.

III. NOTIFICATION OF PENALTIES

All penalties must be specified in writing. No penalty becomes effective until reasonable efforts have been made to notify the student. In those instances when a delay in imposition of the penalty would, in the mind of the student, be detrimental, he or she may waive the right to written notice by so indicating in writing to the judicial body.

Campus Judicial Panel, 1972: “. . . we have received from the defendants . . . submissions . . . stating that any period of suspension will interrupt their education at Stanford. The problem is that this is precisely what a suspension is intended to do— . . . to give the defendants an opportunity to reflect on the inappropriateness in a university of the behavior that led to the sanction.”

Stanford Judicial Council, 1982: “If the stipulation . . . was intended to mean that the defendant was not in fact *conscious* of the immorality of [his behavior], the most generous thing that can be said about it is that it's irrelevant: the Fundamental Standard's injunctions apply to the morally obtuse no less than to the morally sensitive.”

XI. Some Commonly Asked Questions About Student Conduct and the Judicial Process

1. *What is the relationship between the several codes of student conduct? Are the usual penalties similar?*

The Fundamental Standard is the oldest and broadest statement of behavioral expectations; from 1896 to 1921, it was the only code of conduct at Stanford. Then the Honor Code was established in 1921 at the request of the students, assigning to them primary responsibility for honest academic work. The Interpretations and Applications of the Honor Code, enacted in 1977, provide additional guidance through definitions and examples not provided in the original statement. Similarly, the 1990 Fundamental Standard Interpretation: Free Expression and Discriminatory Harassment addresses that area of potential conflict quite specifically, recognizing that the 1896 Standard does not always provide adequate guidance in particular areas of conduct.

The other codes of conduct — The Policy on Campus Disruption, The Official Policy on Sexual Harassment, and the Prohibition on the Possession of Dangerous Weapons — also take the general expectations expressed in the Fundamental Standard and apply them with greater precision to those areas of concern.

The usual penalty for a first violation of the Honor Code is a one-quarter suspension and a grade of No Credit in the course. There is no usual penalty for other types of misconduct; depending upon the severity of the behavior, a student may be censured, suspended, or expelled. (See pages 23-28)

2. *What is a student's "third party responsibility" under the Honor Code?*

Students who observe dishonesty are obligated to take whatever action seems appropriate; for example, saying to a fellow student who appears to be cheating on an exam: "Hey! No notes allowed." or "Cut that out, you!" If the behavior stops, there is no additional obligation to report the offender. If these actions are ineffective or inappropriate, however, students are obligated to report the apparent dishonesty of fellow students.

3. *Can the identity of a student witness to misconduct be protected during a judicial process?*

When a student is first confronted with a witness' account, the identity of the witness is withheld. If the accused student denies guilt, however, and if the witness' testimony is essential to proving misconduct, the witness will either have to attend a hearing at which the accused will be present or, if the witness is not willing to participate, the case will be dropped.

4. *Is a misconduct conviction made public in any way?*

No. Even in cases of highly public behavior, the judicial process and outcomes are confidential. The students are encouraged to tell others who may have a need to know (e.g., parents, advisors, coaches), but those disclosures are up to the student. (If victims are involved, they are — in confidence — informed of judicial outcomes.)

Some graduate school programs (e.g., law, medicine) and some employers (e.g., military and intelligence units of the government, defense contractors, hospitals) and some State Bar Examiners require a disciplinary clearance from an applicant's school dean. In these cases, the fact of a disciplinary record is disclosed upon the written request of the student.

5. *What if a student did not mean to break the rules? Is that type of problem treated differently from deliberate violations?*

Unintended violations — for example, ignorance of the course rules concerning collaboration on homework — are violations nevertheless. Students are expected to know the rules as well as to observe them. A student who is unsure about the rules should ask.

6. *What should an instructor or teaching assistant do who suspects dishonesty but lacks compelling evidence?*

In general, students benefit from being confronted with questions about their behavior. If they are innocent, they learn that their behavior caused reasonable people to have questions about their honesty. If they are guilty, they cope with the fact of being discovered and being known to be dishonest. In either case, desirable changes are more likely to occur than if the incident is ignored.

Those who are uncomfortable with the role of confronting students with behavioral questions may refer this task to the Judicial Affairs Office.

7. *May a faculty member impose academic penalties on the basis of suspected dishonesty without adjudication through the judicial process?*

No. A policy enacted in 1985 prohibits any form of so-called penalty grading on nonacademic grounds. (See 2(e) of the Honor Code Interpretations and Applications.)

8. *Is nonacademic misconduct only handled through the judicial process?*

No. Depending upon the seriousness of the behavior, nonacademic problems may be handled by a residence dean (a student affairs staff member who works with students on a variety of problems). The Judicial Affairs Officer and the Director of Residence Deans confer frequently about the problems reported to their respective offices and decide how best to handle them.

9. *What if a student's behavior is being investigated by the police and may lead to criminal or civil court proceedings? Do those factors affect the University's interest in an internal prosecution as well?*

Police and University evaluations of student behavior are made independently of each other. Although the same actions may be under scrutiny, the rules, sanctions, and concerns are frequently different in the two settings.

Plagiarism, for example, is viewed very seriously by the University but is rarely a cause for judicial review in the courts. By contrast, a student who steals from an off campus merchant would face a court proceeding but would not necessarily also be held accountable to the University. But a student who steals from fellow students in a residence would certainly face a University judicial process and probably external prosecution as well. The primary focus of the University's concern would be on the damage done to a sense of trust and community that is so important in a student residence.

10. *What can instructors and teaching assistants do to reduce the likelihood of Honor Code violations?*

Three steps are especially helpful.

- Provide clear guidelines for all course assignments; most important are guidelines concerning consultation and collaboration.
- Remind students about the Honor Code at appropriate times and follow the usual suggestions for reducing the temptations to be dishonest. (See sections 2(c) and 2 (d) of the Honor Code Interpretations and Applications.)
- Treat students with respect and take their academic work seriously.

11. *What can students do to reduce the possibility of Honor Code problems?*

- Make sure you know and understand all guidelines for academic assignments. If you are unsure, ask the instructor or TA.
- Be prepared in your academic work. If you're falling behind or feeling overwhelmed, seek help and advice.
- As a matter of routine for in-class examinations, avoid sitting near anyone with whom you have studied. It is not uncommon for students who know each other well and study or work together to have similar material in their heads, leading to similar results on exams—including similar mistakes.

- If you find yourself tempted to cheat, take a deep breath, calm down and reconsider. Think about being caught, being suspended for one quarter or more, getting a No Credit in the course — not to mention the embarrassment and damage to your self-respect. There are ALWAYS better ways out of a dilemma.

12. *What can students do to reduce the possibility of other types of conduct problems?*

- Don't make critical decisions if your judgement is impaired. This includes feelings of panic, grief, and desperation as well as the more obvious influences of alcohol or other drugs.
- Think before you act. And if you're in no shape to think, don't act.

XII. Resources for Additional Information or Consultation; How to File a Complaint

No amount of guidelines, details, and examples could adequately cover the possible range of human behavior, the difficult judgments that may need to be made, or the other dilemmas that may surround ethical issues.

When students encounter behavior on the part of their fellow students that they believe may be in violation of a University policy governing student conduct, but they are not sure how to respond, they are urged to seek advice from their residence staff, the Judicial Affairs Officer, the University Ombudspersons, or representatives from the Office of the Dean of Student Affairs.

A complaint about possible student misconduct should be directed to the Judicial Affairs Officer who can, if appropriate, initiate formal disciplinary proceedings against the student. The Judicial Affairs Officer is the only person empowered to take such action.

The definitive informational resource about Stanford's legislative process and judicial systems is the Legislative and Judicial Charter, first adopted in 1968 and subsequently amended in 1975 and again in 1981. The Charter appears in a separate publication available from the Judicial Affairs Office, 323 Old Union, 723-9610. Copies of the Charter have been distributed to academic advisors and members of the residence staff; to academic, administrative, and student residence offices; and to the reference desks of campus libraries.

Requests for additional copies of this handbook should be directed to the Judicial Affairs Office, 323 Old Union, 723-9610.

PETER STANGL

DIRECTOR

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